

AMENDED IN ASSEMBLY AUGUST 4, 2014

AMENDED IN ASSEMBLY JUNE 19, 2014

AMENDED IN SENATE MAY 27, 2014

AMENDED IN SENATE APRIL 3, 2014

AMENDED IN SENATE MARCH 26, 2014

SENATE BILL

No. 1123

Introduced by Senator Liu

February 19, 2014

An act to amend Sections 8203, ~~8236~~, 8263, and 8263.1 of, to amend and repeal Section 8264.8 of, and to add Sections 8242, 8264.9, and 8264.10 to, the Education Code, relating to child care and development.

LEGISLATIVE COUNSEL'S DIGEST

SB 1123, as amended, Liu. Child care and development services.

Under existing law, the Child Care and Development Services Act is enacted for, among other purposes, the purpose of providing a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. Existing law requires the Superintendent of Public Instruction to administer all California state preschool programs. Existing law requires those programs to include, but not be limited to, part-day age and developmentally appropriate programs designed to facilitate the transition to kindergarten for 3- and 4-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development.

Existing law requires the Superintendent to develop standards for the implementation of quality programs with indicators of quality required to include certain things, including parent education.

This bill would *require the Superintendent to develop standards for the implementation of high-quality early learning and educational support programs. The bill would* also include parent education and support and continuity of care and the assignment of primary caregivers for infants and toddlers ~~as part, among other things,~~ of quality indicators.

~~Existing law requires each applicant or contracting agency of a California state preschool program to give first priority to 3- or 4-year-old neglected or abused children, as provided, with 2nd priority required to go to eligible 4-year-old children before enrolling eligible 3-year-old children.~~

~~This bill would instead give 2nd priority to 4-year-old children who are not enrolled in a state-funded transitional kindergarten program. The bill would require 4-year-old children enrolled in a state-funded transitional kindergarten program to be deemed eligible for wraparound child care services if they meet certain eligibility requirements, as provided.~~

Existing law requires specified state preschool programs to have at least $\frac{1}{2}$ of the children enrolled at a preschool site to be 4-year-old children and requires certain priority requirements for the award of new funding for the expansion of the preschool program.

This bill would delete these requirements.

This bill would require the Superintendent to develop standards, rules, and regulations for the implementation of high-quality, evidenced-based infant and toddler services that would be required to, among other things, promote responsive caregiving by parents, guardians, and care providers. The bill would, upon appropriation by the Legislature in the annual Budget Act or in any other statute, establish supplemental grants for purposes of funding parent training and voluntary home visitation services.

Existing law authorizes a family enrolled in state or federally funded child care and development programs whose services would otherwise be terminated because the family no longer meets the program criteria to continue to receive child development services in another state or a federally funded child care and development program, as provided.

This bill would require a child to be deemed eligible for the remainder of the program year subsequent to enrollment in a state or federally

~~funded child care and development~~ *early learning and educational support* program.

Existing law defines “income eligible,” for purposes of the act, to mean that a family’s adjusted monthly income is at or below 70% of the state median income, adjusted for family size, and adjusted annually.

This bill would also include in this definition a family that is eligible for Cal-Fresh or Medi-Cal, ~~or has a school-aged child eligible for free or reduced-price lunch~~ *Medi-Cal*.

Existing law establishes staffing ratios for center-based programs.

This bill would delete these ratios on July 1, 2019. The bill would require, no later than July 1, 2019, ~~child care and development~~ *early learning and educational support program* services providers to maintain updated staffing ratios, as provided. The bill would require no later than July 1, 2019, ~~child care and development~~ *early learning and educational support program* services providers to have at least one teacher in each classroom that holds at a minimum a child development teacher permit issued by the Commission on Teacher Credentialing, if funds are made available for that purpose in the annual Budget Act or in any other statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The first three years of life are a period of dynamic and
- 4 unparalleled brain development in which children acquire the
- 5 ability to think, speak, learn, and reason. During these first 36
- 6 months, children need good health, strong families, and positive
- 7 early learning experiences to lay the foundation for later school
- 8 success. Low-income infants and toddlers are at a greater risk for
- 9 a variety of poorer outcomes and vulnerabilities, such as later
- 10 school failure, learning disabilities, behavior problems,
- 11 developmental delay, and health impairments.
- 12 (b) The most effective way to help babies and toddlers is to
- 13 promote positive parent-child relationships. Existing law requires
- 14 the Superintendent of Public Instruction to administer child care
- 15 and development programs, including the general child care and
- 16 development program that provides services to eligible low-income

1 children from birth to 13 years of age. For children birth to three
2 years of age, the General Child Care Program funds centers and
3 family child care home networks in 49 of California's counties to
4 provide full-day, full-year child care and development services
5 that meet the State Department of Education's Infant/Toddler
6 Learning and Development Foundations, and include some
7 provisions for parent education and involvement such as parent
8 conferences and an orientation. However, several core,
9 research-based approaches to parent engagement and support are
10 not required nor is funding provided.

11 (c) The federal Early Head Start program serves low-income
12 infants and toddlers with a flexible program model intended to
13 meet the varied needs of families, including child care and
14 development services, family engagement and support, voluntary
15 home visitation services, and health services. Research shows that
16 children who participated in Early Head Start had significantly
17 larger vocabularies and scored higher on standardized measures
18 of cognitive development, and that children and parents had more
19 positive interactions, and parents provided more support for
20 learning. Many different home visiting programs have been shown
21 to significantly reduce the occurrence of child maltreatment and
22 abuse, and improve children's health and school success. Parent
23 training programs, such as the Positive Parenting Program, have
24 shown significant reductions in child abuse and neglect as well as
25 improvements in school readiness, health, and well-being.

26 (d) High quality learning services for infants and toddlers
27 strengthen family engagement and parent-child relationships; focus
28 workforce development on provider-child relationships; promote
29 teacher-child interaction and a language rich learning environment;
30 support dual language learning; serve as a gateway to
31 comprehensive services; and promote a choice of quality service
32 options.

33 SEC. 2. ~~(a)~~—It is the intent of the Legislature to strategically
34 use state and federal funds to provide a stable, comprehensive, and
35 adequately funded early learning and educational support system
36 for children from birth to five years of age that promotes access
37 to safe, high-quality, part-day and full-day services that support
38 the development of the whole child, especially for those children
39 who need it most, that includes, but is not limited to, the following:

40 (1)

1 (a) Supporting positive parent-child relationships and responsive
2 caregiving.

3 ~~(2)~~

4 (b) Promoting language rich environments, including at home.

5 ~~(3)~~

6 (c) Developmentally appropriate curriculum with differentiated
7 instruction.

8 ~~(4)~~

9 (d) Knowledgeable, caring, and well-trained educators, staff,
10 and providers.

11 ~~(5)~~

12 (e) Program activities and services that are age appropriate and
13 meet the developmental needs of each child, including special
14 needs children.

15 ~~(6)~~

16 (f) Promotion of healthy practices and activities.

17 ~~(7)~~

18 (g) An educationally enriched environment that respects and
19 supports cultural, linguistic, and ability diversity.

20 ~~(8)~~

21 (h) A physical environment that is safe and appropriate to the
22 ages and developmental needs of the children served.

23 ~~(9)~~

24 (i) Provision for nutritional needs and physical activity of
25 children.

26 ~~(10)~~

27 (j) Access for low-income infants, toddlers, and preschoolers
28 to high-quality early learning and care.

29 ~~(11) Access for all four-year-old children to a voluntary,~~
30 ~~high-quality transitional kindergarten program one year before~~
31 ~~enrolling in kindergarten.~~

32 ~~(12)~~

33 (k) Support services for children and families that include
34 referral of children to appropriate agencies, including referrals
35 related to, but not limited to, all of the following:

36 ~~(A)~~

37 (l) Health care.

38 ~~(B)~~

(2) Social services that include, but are not limited to, child abuse prevention, identification of child and family needs, and referral to appropriate agencies.

~~(C)~~

(3) Early childhood mental health services, including primary prevention, crisis intervention, assessments, and referrals.

~~(D)~~

(4) Family support, parenting education, and family and community engagement.

~~(E)~~

(5) Counseling, including family counseling.

~~(F)~~

(6) Nutrition services.

~~(G)~~

(7) Interagency coordination and collaboration among the state agencies responsible for the provision of support services to children and their families.

~~(b) It is further the intent of the Legislature to ensure that expansion of transitional kindergarten does not adversely impact access to early care and education opportunities for infants and toddlers.~~

SEC. 3. Section 8203 of the Education Code is amended to read:

8203. The Superintendent shall develop standards for the implementation of ~~quality~~ *high-quality early learning and educational support* programs. Indicators of quality shall include, but not be limited to:

(a) A physical environment that is safe and appropriate to the ages of the children and that meets applicable licensing standards.

(b) Program activities and services that are age appropriate and meet the developmental needs of each child.

(c) Program activities and services that meet the cultural and linguistic needs of children and families.

(d) Family and community involvement *and engagement*.

(e) Parent education and support.

(f) Efficient and effective local program administration.

(g) Staff that possesses the appropriate and required qualifications or experience, or both. The appropriate staff qualifications shall reflect the diverse linguistic and cultural makeup of the children and families in the ~~child care and~~

development *early learning and educational support* program.

The use of intergenerational staff shall be encouraged.

(h) Program activities and services that meet the needs of children with exceptional needs and their families.

(i) Support services for children, families, and providers of care.

(j) Resource and referral services.

(k) Alternative payment services.

(l) Provision for nutritional needs of children.

(m) Social services that include, but are not limited to, identification of child and family needs and referral to appropriate agencies.

(n) Health services, *as defined in Section 8208, and developmental services* that include referral of children to appropriate agencies for services.

(o) For services for infants and toddlers, continuity of care and the assignment of primary caregivers.

SEC. 4. ~~Section 8236 of the Education Code is amended to read:~~

~~8236. (a) (1) Each applicant or contracting agency funded pursuant to Section 8235 shall give first priority to three- or four-year-old neglected or abused children who are recipients of child protective services, or who are at risk of being neglected, abused, or exploited upon written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child's parent or guardian to local resource and referral services so that services for the child can be located.~~

~~(2) Notwithstanding Section 8263, after children in the first priority category set forth in paragraph (1) are enrolled, each agency funded pursuant to Section 8235 shall give priority to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program before enrolling eligible three-year-old children. Each agency shall certify to the Superintendent that enrollment priority is being given to eligible four-year-old children.~~

~~(3) Four-year-old children enrolled in state-funded transitional kindergarten programs shall be deemed eligible for wraparound child care services, as defined in Section 8239, if they are also eligible for free and reduced-price lunch, CalFresh or Medi-Cal programs, or if their family's adjusted monthly income is at or~~

1 below 70 percent of the state median income, adjusted for family
2 size, and adjusted annually.

3 ~~(b) In an application for the award of new funding for the~~
4 ~~expansion of a California state preschool program that is~~
5 ~~appropriated by the Legislature for that purpose in any fiscal year,~~
6 ~~an agency shall furnish the Superintendent with an estimate of the~~
7 ~~number of four-year-old and three-year-old children that it plans~~
8 ~~to serve in the following fiscal year with those expansion funds.~~
9 ~~The agency also shall furnish documentation that indicates the~~
10 ~~basis of those estimates.~~

11 ~~(c) This section does not preclude a local educational agency~~
12 ~~from subcontracting with an appropriate public or private agency~~
13 ~~to operate a California state preschool program and to apply for~~
14 ~~funds made available for purposes of this section. If a school~~
15 ~~district chooses not to operate or subcontract for a California state~~
16 ~~preschool program, the Superintendent shall work with the county~~
17 ~~office of education and other eligible agencies to explore possible~~
18 ~~opportunities in contracting or alternative subcontracting to provide~~
19 ~~a California state preschool program.~~

20 ~~(d) This section does not prevent eligible children who are~~
21 ~~currently receiving services from continuing to receive those~~
22 ~~services in future years pursuant to this chapter.~~

23 ~~SEC. 5.~~

24 *SEC. 4.* Section 8242 is added to the Education Code, to read:

25 8242. (a) General child care services for infants and toddlers
26 shall be known as California Strong Start services.

27 (b) Services provided pursuant to this chapter that serve children
28 from birth to their third birthday, shall include, but not be limited
29 to, the following:

30 (1) Parent engagement and support services that promote
31 positive parent-child relationships.

32 (2) Full-day early learning and care services.

33 (3) Part-day early learning and care services.

34 (4) Voluntary home visitation services.

35 (5) Nutrition services.

36 (6) Referrals to needed services such as health and dental care,
37 child abuse prevention, housing, and early childhood mental health.

38 (c) The Superintendent shall develop standards, rules, and
39 regulations for the implementation of high-quality, evidenced-based
40 infant-toddler services, based on, but not limited to, the federal

1 Early Head Start model. The standards, rules, and regulations shall
2 achieve the following:

3 (1) Promote language rich environments, including supporting
4 a child's home language and English acquisition.

5 (2) Promote responsive caregiving by parents, guardians, and
6 care providers.

7 (3) Be based on the Infant/Toddler Learning and Development
8 Foundations.

9 (d) California Strong Start service providers shall have the
10 flexibility to combine early learning and care services with one or
11 more of the additional services identified in subdivision (a), based
12 on the needs of the children and families served.

13 (e) California Strong Start service providers may coordinate
14 with First 5 California commissions, voluntary home visitation
15 programs, Early Head Start, child care, child welfare, early
16 childhood mental health and intervention including Early Start,
17 and health and nutrition services.

18 (f) (1) A family engagement supplemental grant shall be made
19 available to qualifying California Strong Start service providers,
20 as determined by the Superintendent, at a rate of one thousand
21 dollars (\$1,000) per eligible child. The Superintendent shall
22 distribute family engagement supplemental grant funds for the
23 purpose of providing evidence-based parent training services as
24 defined in the California Department of Social Services' California
25 Evidenced-Based Clearinghouse for Child Welfare.

26 (2) A countywide or regional consortium of California Strong
27 Start providers, with a lead grantee agency that is a First 5
28 California commission, county office of education, or other local
29 public agency, may apply to the Superintendent for a countywide
30 or regional grant for the total amount of eligible children pursuant
31 to paragraph (1).

32 (g) (1) A voluntary home visitation supplemental grant shall
33 be made available to qualifying California Strong Start service
34 providers, as determined by the Superintendent. For children who
35 receive full-day early learning and care services, the supplemental
36 grant amount shall be two thousand five hundred dollars (\$2,500)
37 per child. For children who receive part-day early learning and
38 care services, the supplemental grant shall be six thousand dollars
39 (\$6,000) per child. The Superintendent shall distribute
40 supplemental grant funds for the purpose of providing

1 evidence-based voluntary home visitation services as defined in
2 the California Department of Social Services' California
3 Evidenced-Based Clearinghouse for Child Welfare.

4 (2) A countywide or regional consortium of California Strong
5 Start providers, with a lead grantee agency that is a First 5
6 California commission, county office of education, or other local
7 public agency, may apply to the Superintendent for a countywide
8 or regional grant for the total amount of eligible children pursuant
9 to paragraph (1).

10 (h) Grants made pursuant to subdivisions (f) and (g) shall be
11 made only upon appropriation by the Legislature in the annual
12 Budget Act or in any other statute for purposes of funding general
13 child care services.

14 ~~SEC. 6:~~

15 *SEC. 5.* Section 8263 of the Education Code is amended to
16 read:

17 8263. (a) The Superintendent shall adopt rules and regulations
18 on eligibility, enrollment, and priority of services needed to
19 implement this chapter. In order to be eligible for federal and state
20 subsidized-~~child development~~ *early learning and educational*
21 *support* services, families shall meet at least one requirement in
22 each of the following areas:

23 (1) A family is (A) a current aid recipient, (B) income eligible,
24 (C) homeless, or (D) one whose children are recipients of protective
25 services, or whose children have been identified as being abused,
26 neglected, or exploited, or at risk of being abused, neglected, or
27 exploited.

28 (2) A family needs the-~~child~~ care services (A) because the child
29 is identified by a legal, medical, or social services agency, or
30 emergency shelter as (i) a recipient of protective services or (ii)
31 being neglected, abused, or exploited, or at risk of neglect, abuse,
32 or exploitation, or (B) because the parents are (i) engaged in
33 vocational training leading directly to a recognized trade,
34 paraprofession, or profession, (ii) employed or seeking
35 employment, (iii) seeking permanent housing for family stability,
36 or (iv) incapacitated.

37 (b) Except as provided in Article 15.5 (commencing with Section
38 8350), priority for federal and state subsidized-~~child development~~
39 *early learning and educational support* services is as follows:

1 (1) (A) First priority shall be given to neglected or abused
2 children who are recipients of child protective services, or children
3 who are at risk of being neglected or abused, upon written referral
4 from a legal, medical, or social services agency. If an agency is
5 unable to enroll a child in the first priority category, the agency
6 shall refer the family to local resource and referral services to
7 locate services for the child.

8 (B) A family who is receiving ~~child~~ care on the basis of being
9 a child at risk of abuse, neglect, or exploitation, as defined in
10 ~~subdivision (k)~~ of Section 8208, is eligible to receive services
11 pursuant to subparagraph (A) for up to three months, unless the
12 family becomes eligible pursuant to subparagraph (C).

13 (C) A family may receive ~~child~~ care services for up to 12 months
14 on the basis of a certification by the county child welfare agency
15 that child care services continue to be necessary or, if the child is
16 receiving child protective services during that period of time, and
17 the family requires ~~child~~ care and remains otherwise eligible. This
18 time limit does not apply if the family's ~~child~~ care referral is
19 recertified by the county child welfare agency.

20 (2) Second priority shall be given equally to eligible families,
21 regardless of the number of parents in the home, who are income
22 eligible. Within this priority, families with the lowest gross monthly
23 income in relation to family size, as determined by a schedule
24 adopted by the Superintendent, shall be admitted first. If two or
25 more families are in the same priority in relation to income, the
26 family that has a child with exceptional needs shall be admitted
27 first. If there is no family of the same priority with a child with
28 exceptional needs, the same priority family that has been on the
29 waiting list for the longest time shall be admitted first. For purposes
30 of determining order of admission, the grants of public assistance
31 recipients shall be counted as income.

32 (3) The Superintendent shall set criteria for, and may grant
33 specific waivers of, the priorities established in this subdivision
34 for agencies that wish to serve specific populations, including
35 children with exceptional needs or children of prisoners. These
36 new waivers shall not include proposals to avoid appropriate fee
37 schedules or admit ineligible families, but may include proposals
38 to accept members of special populations in other than strict income
39 order, as long as appropriate fees are paid.

1 (c) Notwithstanding any other law, in order to promote
2 continuity of services, subsequent to enrollment in a state or
3 federally funded ~~child care and development~~ *early learning and*
4 *educational support* program, a child shall be deemed eligible for
5 the remainder of the program year.

6 (d) Notwithstanding any other law, in order to promote
7 continuity of services, a family enrolled in a state or federally
8 funded ~~child care and development~~ *early learning and educational*
9 *support* program whose services would otherwise be terminated
10 because the family no longer meets the program income, eligibility,
11 or need criteria may continue to receive ~~child development~~ services
12 in another state or federally funded ~~child care and development~~
13 *early learning and educational support* program if the contractor
14 is able to transfer the family's enrollment to another program for
15 which the family is eligible before the date of termination of
16 services or to exchange the family's existing enrollment with the
17 enrollment of a family in another program, provided that both
18 families satisfy the eligibility requirements for the program in
19 which they are being enrolled. The transfer of enrollment may be
20 to another program within the same administrative agency or to
21 another agency that administers state or federally funded ~~child~~
22 ~~care and development~~ *early learning and educational support*
23 programs.

24 (e) In order to promote continuity of services, the Superintendent
25 may extend the 60-working-day period specified in subdivision
26 (a) of Section 18086.5 of Title 5 of the California Code of
27 Regulations for an additional 60 working days if he or she
28 determines that opportunities for employment have diminished to
29 the degree that one or both parents cannot reasonably be expected
30 to find employment within 60 working days and granting the
31 extension is in the public interest. The scope of extensions granted
32 pursuant to this subdivision shall be limited to the necessary
33 geographic areas and affected persons, which shall be described
34 in the Superintendent's order granting the extension. It is the intent
35 of the Legislature that extensions granted pursuant to this
36 subdivision improve services in areas with high unemployment
37 rates and areas with disproportionately high numbers of seasonal
38 agricultural jobs.

39 (f) A physical examination and evaluation, including
40 age-appropriate immunization, shall be required before, or within

1 six weeks of, enrollment. A standard, rule, or regulation shall not
2 require medical examination or immunization for admission to a
3 ~~child care and development~~ *an early learning and educational*
4 *support* program of a child whose parent or guardian files a letter
5 with the governing board of the ~~child care and development~~
6 program stating that the medical examination or immunization is
7 contrary to his or her religious beliefs, or provide for the exclusion
8 of a child from the program because of a parent or guardian having
9 filed the letter. However, if there is good cause to believe that a
10 child is suffering from a recognized contagious or infectious
11 disease, the child shall be temporarily excluded from the program
12 until the governing board of the ~~child care and development~~ *early*
13 *learning and educational support* program is satisfied that the
14 child is not suffering from that contagious or infectious disease.

15 (g) Regulations formulated and promulgated pursuant to this
16 section shall include the recommendations of the State Department
17 of Health Care Services relative to health care screening and the
18 provision of health care services. The Superintendent shall seek
19 the advice and assistance of these health authorities in situations
20 where service under this chapter includes or requires care of
21 children who are ill or children with exceptional needs.

22 (h) The Superintendent shall establish guidelines for the
23 collection of employer-sponsored ~~child care~~ benefit payments from
24 a parent whose child receives subsidized ~~child care and~~
25 ~~development~~ *early learning and educational support* services.
26 These guidelines shall provide for the collection of the full amount
27 of the benefit payment, but not to exceed the actual cost of ~~child~~
28 ~~care and development~~ *early learning and educational support*
29 services provided, notwithstanding the applicable fee based on the
30 fee schedule.

31 (i) The Superintendent shall establish guidelines according to
32 which the director or a duly authorized representative of the ~~child~~
33 ~~care and development~~ *early learning and educational support*
34 program will certify children as eligible for state reimbursement
35 pursuant to this section.

36 (j) Public funds shall not be paid directly or indirectly to an
37 agency that does not pay at least the minimum wage to each of its
38 employees.

39 ~~SEC. 7. Section 8263.1 of the Education Code is amended to~~
40 ~~read:~~

1 ~~8263.1. (a) For purposes of this chapter, “income eligible”~~
2 ~~means either of the following:~~

3 ~~(1) That a family’s adjusted monthly income is at or below 70~~
4 ~~percent of the state median income, adjusted for family size, and~~
5 ~~adjusted annually.~~

6 ~~(2) That a family is eligible for CalFresh or Medi-Cal, or has a~~
7 ~~schoolaged child eligible for free or reduced-price lunch.~~

8 ~~(b) Notwithstanding any other law, for the 2011–12 fiscal year,~~
9 ~~the income eligibility limits that were in effect for the 2007–08~~
10 ~~fiscal year shall be reduced to 70 percent of the state median~~
11 ~~income that was in use for the 2007–08 fiscal year, adjusted for~~
12 ~~family size, effective July 1, 2011.~~

13 ~~(c) Notwithstanding any other law, for the 2012–13 fiscal year,~~
14 ~~the income eligibility limits shall be 70 percent of the state median~~
15 ~~income that was in use for the 2007–08 fiscal year, adjusted for~~
16 ~~family size.~~

17 ~~(d) Notwithstanding any other law, for the 2013–14 fiscal year,~~
18 ~~the income eligibility limits shall be 70 percent of the state median~~
19 ~~income that was in use for the 2007–08 fiscal year, adjusted for~~
20 ~~family size.~~

21 ~~(e) Notwithstanding any other law, for the 2014–15 fiscal year~~
22 ~~and each year thereafter, the income eligibility limits shall not be~~
23 ~~less than 70 percent of the state median income for the prior fiscal~~
24 ~~year, adjusted for family size.~~

25 ~~(f) The income of a recipient of federal supplemental security~~
26 ~~income benefits pursuant to Title XVI of the federal Social Security~~
27 ~~Act (42 U.S.C. Sec. 1381 et seq.) and state supplemental program~~
28 ~~benefits pursuant to Title XVI of the federal Social Security Act~~
29 ~~and Chapter 3 (commencing with Section 12000) of Part 3 of~~
30 ~~Division 9 of the Welfare and Institutions Code shall not be~~
31 ~~included as income for purposes of determining eligibility for child~~
32 ~~care under this chapter.~~

33 ~~SEC. 6. Section 8263.1 of the Education Code is amended to~~
34 ~~read:~~

35 ~~8263.1. (a) For purposes of this chapter, “income eligible”~~
36 ~~means that either of the following:~~

37 ~~(1) That a family’s adjusted monthly income is at or below 70~~
38 ~~percent of the state median income, adjusted for family size, and~~
39 ~~adjusted annually.~~

40 ~~(2) That a family is eligible for CalFresh or Medi-Cal.~~

(b) Notwithstanding any other law, for the 2011–12 fiscal year, the income eligibility limits that were in effect for the 2007–08 fiscal year shall be reduced to 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size, effective July 1, 2011.

(c) Notwithstanding any other law, for the 2012–13 fiscal year, the income eligibility limits shall be 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

(d) Notwithstanding any other law, for the 2013–14 fiscal year, the income eligibility limits shall be 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

(e) Notwithstanding any other law, for the 2014–15 fiscal year, the income eligibility limits shall be 70 percent of the state median income that was in use for the 2007–08 fiscal year, adjusted for family size.

(f) The income of a recipient of federal supplemental security income benefits pursuant to Title XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.) and state supplemental program benefits pursuant to Title XVI of the federal Social Security Act and Chapter 3 (commencing with Section 12000) of Part 3 of Division 9 of the Welfare and Institutions Code shall not be included as income for purposes of determining eligibility for child care under this chapter.

~~SEC. 8.~~

SEC. 7. Section 8264.8 of the Education Code is amended to read:

~~8264.8. (a) Until the Superintendent promulgates regulations for center-based programs establishing staffing ratios, the following staffing ratios shall apply:~~

~~(1) Infants, 0 to 2 years old—1:3 adult-child ratio, 1:18 teacher-child ratio.~~

~~(2) Infants and toddlers, 0 to 2 years old—1:4 adult-child ratio, 1:16 teacher-child ratio.~~

~~(3) Children 3 to 6 years old—1:8 adult-child ratio, 1:24 teacher-child ratio.~~

~~(4) Children 6 to 10 years old—1:14 adult-child ratio, 1:28 teacher-child ratio.~~

~~(5) Children 10 to 13 years old—1:18 adult-child ratio, 1:36 teacher-child ratio.~~

~~(6) If groups of children of varying ages are commingled, the teacher and adult ratios shall be proportionate and appropriate to the ages and groups of children.~~

8264.8. (a) Early learning and educational support programs shall maintain at least the following minimum ratios for all early learning services except for family child care home education networks operating pursuant to Article 8.5 (commencing with Section 8245):

(1) Infants, birth to 18 months old—1:3 adult-to-child ratio, 1:18 teacher-to-child ratio.

(2) Toddlers, 18 months up to their third birthday—1:4 adult-to-child ratio, 1:16 teacher-to-child ratio.

(3) Preschool, at least 30 months to kindergarten eligibility—1:8 adult-to-child ratio, 1:24 teacher-to-child ratio.

(4) Schoolage, enrolled in kindergarten to their 13th birthday—1:14 adult-to-child ratio, 1:28 teacher-to-child ratio.

(b) Compliance with the ratios established by subdivision (a) shall be determined based on actual attendance.

~~(b)~~

(c) This section shall remain in effect only until July 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2019, deletes or extends that date.

~~SEC. 9.~~

SEC. 8. Section 8264.9 is added to the Education Code, to read:

8264.9. (a) No later than July 1, 2019, child care and development services providers shall maintain the following minimum ratios and group sizes:

(1) Infants, birth to 18 months old—1:4 adult-child ratio, 1:8 teacher-child ratio, a group size of 8; or ~~1:3 adult-child ratio, 1:9 teacher-child ratio, a group size of 9~~ 1:3 adult-to-child ratio, 1:18 teacher-to-child ratio.

(2) Toddlers, 18 months up to their ~~3rd~~ third birthday—1:4 adult-child ratio, ~~1:12 teacher-child ratio, a group size of 12~~ 1:16 teacher-to-child ratio.

(3) Preschool, at least 30 months to kindergarten eligibility—1:8 adult-child ratio, 1:24 teacher-child ratio, ~~a group size of 24 ratio;~~ or 1:10 adult-child ratio, 1:20 teacher-child ratio, a group size of 20.

(4) Schoolage, enrolled in kindergarten to their 13th birthday—1:14 adult-child ratio, 1:28 teacher-child ratio.

(b) Compliance with the ratios established by subdivision (a) shall be determined based on actual attendance.

(c) This section shall not apply to family child care home education networks operating pursuant to Article 8.5 (commencing with Section 8245).

(d) Notwithstanding Section 8264.8, this section does not prevent child care and development services providers from maintaining the ratios pursuant to this section before July 1, 2019.

~~SEC. 10.~~

SEC. 9. Section 8264.10 is added to the Education Code, to read:

8264.10. (a) (1) No later than July 1, 2019, child care and development services providers shall have at least one teacher in each classroom that holds at a minimum a child development teacher permit issued by the Commission on Teacher Credentialing.

(2) Paragraph (1) shall only become operative if funds are made available in the annual Budget Act or in any other statute for purposes of paragraph (1).

(b) No later than July 1, 2017, the Commission on Teacher Credentialing shall review and amend the Child Development Permit. The amendments shall include the following requirements:

(1) The development of an infant and toddler emphasis that includes a minimum of six units in infant and toddler development.

(2) Each permitholder shall have an individual professional development plan that includes a minimum of 21 hours of annual training, and that such training include in-classroom coaching. In-classroom coaching may account for up to 10 of the 21 hours each year.